
UNITED STATES MARINE CORPS
THE BASIC SCHOOL
MARINE CORPS TRAINING COMMAND
CAMP BARRETT, VIRGINIA 22134-5019

**TBS ORIENTATION/
STANDARDS OF
CONDUCT
B000015Q
STUDENT HANDOUT**

TBS Orientation/Standards of Conduct

Introduction

In this course we will discuss the standards of conduct and administrative procedures per applicable policies and programs of the Marine Corps and The Basic School (TBS) with respect to equal opportunity, sexual harassment, hazing, fraternization, and substance abuse.

These issues are important because they greatly affect the morale and good order and discipline within a unit. **You will** encounter each of these issues during your time in the Marine Corps.

Importance

In this lesson you will be presented with the knowledge necessary to properly address the below issues. Making the right decision in each instance will be your leadership challenge.

In This Lesson

This lesson covers the following topics:

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Learning Objectives

Terminal Learning Objectives

TBS-VALU-1003 Given the requirement, describe the Marine Corps policy on the use of illegal drugs IAW MCO 5300.17.

TBS-CORE-2108 While serving as a leader of Marines, seek responsibility and take responsibility for your actions, to support the mission of the Marine Corps and maintain combat readiness.

TBS- CORE-2106 While serving as a leader of Marines, know your Marines and look out for their welfare, to support the mission of the Marine Corps and maintain combat readiness.

TBS-CORE-2105 While serving as a leader of Marines, set the example, to support the mission of the Marine Corps, and maintain combat readiness.

TBS-CORE-2104 While serving as a leader of Marines, make sound and timely decisions, to support the mission of the Marine Corps and maintain combat readiness.

TBS-CORE-2102 While serving as a leader of Marines, be technically and tactically proficient, to support the mission of the Marine Corps and maintain combat readiness.

TBS-CORE-2101 While serving as a leader of Marines, know yourself and seek self-improvement, to support the mission of the Marine Corps and maintain combat readiness.

TBS-VALU-1012 Without the aid of references, describe Marine Corps policy on combating trafficking in persons, without omitting key components.

TBS-VALU-1008 Without the aid of references, describe the Marine Corps policy on fraternization, without omitting key components.

TBS-VALU-1007 While part of a unit, describe the Marine Corps policy on hazing, in accordance with MCO 1700.28.

TBS- VALU-1006 Given the requirement, describe the Marine Corps policy on equal opportunity in accordance with MCO 5354.1D.

TBS- VALU-1004 Given the requirement, describe the Marine Corps policy on alcohol abuse in accordance with MCO 5300.17

Enabling Learning Objectives

TBS-CORE-2101a Given an evaluation, describe the leadership traits, in accordance with Marine Corps Leadership.

TBS-CORE-2104a While serving as a Marine Corps officer, decide, communicate and act, to support the mission of the Marine Corps and maintain combat readiness.

TBS-CORE-2105a While serving as a Marine Corps officer, maintain exemplary character, to support the mission of the Marine Corps while maintaining combat readiness.

TBS-CORE-2106a While serving as a Marine Corps officer, devote yourself to leading Marines 24/7, to support the mission of the Marine Corps while maintaining combat readiness.

TBS-VALU-1006a Given an evaluation, define equal opportunity in accordance with MCO 5354.1D.

TBS- VALU-1006b Given an evaluation, describe the purpose of the Marine Corps Equal Opportunity policy without omission.

TBS-VALU-1007a Without the aid of reference, define hazing, without omission.

TBS- VALU-1007b Without the aid of reference, describe the purpose of the Marine Corps Hazing policy, without omission.

TBS-VALU-1008a Without the aid of reference, define fraternization, without omission.

TBS- VALU-1008b Without the aid of reference, describe the purpose of the Marine Corps Fraternization policy, without omission.

TBS-VALU-1011b Without the aid of reference, define sexual harassment, without omission.

Equal Opportunity

General

The Marine Corps' fight to provide equal opportunity is not new. The Corps has always been comprised of persons drawn from varied backgrounds. An individual does not automatically set aside prejudices, bias, and perceptions upon joining our ranks. In the early 1970's, for example, the Marine Corps suffered from an outbreak of racially-related problems ranging from simple name calling to killings. Today's Marine Corps still faces potential problems with discrimination based on race, color, sex, religion, age, and national origin. Discriminatory behaviors directed at any one of these areas erode morale and discipline and have the potential to destroy unit readiness.

The Solution is Leadership

In order to address such bias we must be pro-active; we must establish a command climate that allows every Marine to reach his or her potential without regard to race, color, religion, sex, age, sexual orientation or national origin.

Definitions

- **Minority.** A group which differs from the predominant section of a larger group in one or more characteristics and as a result is often subject to differential treatment; for example, ethnic background, language, culture, or religion.
- **Prejudice.** The holding of a judgment or opinion without regard to pertinent facts; typically prejudice is expressed in suspicion, fear, hostility, or intolerance of certain people, customs, and ideas.
- **Discrimination.** An act, policy, or procedure that arbitrarily denies equal opportunity to an individual or group of individuals because of race, color, religion, sex, age, sexual orientation or national origin.
- **Institutional discrimination.** Policies, procedures, and practices that, intentionally or unintentionally, lead to differential treatment of selected identifiable groups and through usage and customs have attained official or semiofficial acceptance in the routine functioning of the organization/institution.
- **Equal opportunity.** A concept which requires that the objectives of fair and equal treatment and equality of opportunity for all be applied to all management functions and leadership actions.

Equal Opportunity (Continued)

Definitions (Continued)

- Affirmative action. Any action directed toward implementing and advancing the concept of equal opportunity.
- Goals/milestones. Result-oriented projections to which the command aims within the context of the equal opportunity concept.
- Cultural diversity. A desirable condition brought about by the gender, religious, racial, cultural, and social differences Marines bring to our organization.

Policy

The Marine Corps' policy (in fact, Department of Defense [DoD] Policy) is to provide equal opportunity for all military members without regard to race, color, religion, sex, sexual orientation or national origin consistent with the law and regulations and the requirements for physical and mental abilities. The achievement and maintenance of this goal is integral to the full development of esprit de corps, pride, and individual readiness, which are essential to combat readiness. Ensuring, to the fullest extent under the law and regulations, that fairness and equality of opportunity are extended to all personnel concerning every action which affects Marines, is an inherent function of leadership and will be given appropriate consideration in performance evaluation. Commanders are responsible for both military and civilian equal opportunity programs.

Marine Corps Policy on Cultural Diversity

Recently, the Quality Management Board formed by the Commandant to study minority issues released the following vision statement concerning cultural diversity.

"Our cultural diversity programs will focus on understanding diversity, appreciating and respecting diversity, and recognizing and fostering (managing) diversity in keeping with organizational goals and Core Values. The Marine Corps as an institution, and Marines as individuals, must promote an atmosphere and manage programs which both welcome and capitalize upon cultural diversity. Such programs will serve to maximize our warfighting capability and promote individual career satisfaction."

Equal Opportunity (Continued)

Marine Corps Policy on Cultural Diversity (Continued)

Although cultural diversity programs are still in the developmental stages, it should be recognized that our philosophy of leadership promotes the idea of using the different capabilities of our Marines to the greatest advantage. An appreciation of and respect for the diversity of our Marines will only help us in doing this.

As stated in the vision statement above, we should manage our diversity "...in keeping with organizational goals and Core Values..." Accepted standards of conduct, good order and discipline, and unit cohesion cannot be compromised in this effort.

Equal Opportunity Program Objectives

- Understand the effects of past discriminatory practices in order to formulate specific equal opportunity objectives, and then initiate affirmative actions to eliminate deficiencies resulting from these practices.
- Eliminate, correct, or prevent institutional and individual discriminatory practices.
- Eliminate prejudice and promote harmonious relationships among Marines.
- Ensure the opportunity and encouragement for personal and professional advancement of individual Marines, without regard to race, color, religion, sex, age, sexual orientation or national origin.

Role of the Commanding Officer

- Publish a written policy that supports the program's intent. (Major commands.)
- Direct the unit's equal opportunity efforts in activities, programs, and facilities over which units have cognizance.
- Designate, in writing an equal opportunity program officer down to the battalion/squadron level.
- Maintain and review statistical data provided by the Equal Opportunity Program Officer to alert other commanders to the development of adverse trends and patterns in time to analyze and correct the situation.

Actions of a Junior Officer

- Assume a pro-active, visible role. Incorporate equal opportunity efforts in all activities, programs, and facilities within your charge. Promote an appreciation and respect for the different capabilities that our Marines bring with them to the Corps.
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Equal Opportunity (Continued)

Actions of a Junior Officer (Continued)

- Spread the word on the command's equal opportunity policy and programs, troop information programs, bulletin boards, formations, and welcome aboard briefs.
- Be receptive to complaints. Do not allow reprisals against a complainant.
- Use the chain of command as the primary and preferred channel for correcting discriminatory practices.
- Establish the policy of requesting mast as the primary means for filing a complaint. Article 138 is an alternate means.
- Record, report through the chain of command, investigate, and analyze. No incident with discriminatory overtones can be overlooked. It is very important that the command's response to the incident be visible to the Marines in the unit. The absence of a visible response can result in increased apprehension and polarization.
- Provide for a prompt investigation of complaints conducted by an individual not directly in the chain of command. If the complaint is against the commander (which could mean you) the next higher command in the chain should convene the investigation.
- Take prompt action if
 - The allegation is substantiated.
 - Retaliation is taken against the complainant.
 - Someone intentionally files a false complaint.
- Monitor the command climate. Defuse perceptions and eliminate rumors. Some indicators to look for are
 - Increase in racial/ethnic tensions.
 - Increase in request masts, Congressional Interest Items, Special Interest Items, etc., relating to racial/ethnic discrimination and prejudice.
 - Request masts by those who purport to speak for certain organizations or racial/ethnic groups within the command.
 - Discovery of ritualistic incidents with racial/ethnic overtones, both on base and in the surrounding civilian community.
 - Appearance of racist, religiously intolerant, or prejudicial literature, signs, etc.
 - Marines wearing civilian clothing with organizational insignia that are racist in tone.

Equal Opportunity (Continued)

Actions of a Junior Officer (Continued)

- De facto, group-imposed segregation in command billeting, mess halls, clubs, and recreation areas.
 - Disputes, name-calling, racial slurs, and minor confrontations.
 - Increased interest in, or preoccupation with, issues of "backlash" or "reverse discrimination."
- Ensure timely and ongoing career development counseling.
- Encourage individuals with educational deficiencies to participate in off duty education. (This is a prime example of managing one aspect of diversity in our Corps.)
- Ensure that assignment to primary duty is based on grade and occupational skill requirements, and that a Marine is not otherwise denied assignment to any billet for which he or she is qualified because of race, color, religion, sex, age, sexual orientation or national origin.
- Ensure that the same standards are applied to all members of the command when recommending individuals for recognition.
- Ensure that military justice is administered with absolute fairness. Make every effort to dispel perceptions that minority Marines receive disproportionate punishment.

Marine Corps Leadership Training Program

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- This program is an important means for providing each Marine with instruction to enhance the development of professional capabilities necessary for increased grade and responsibility.
 - The "Users Guide to Marine Corps Leadership Training" (NAVMC 2767) provides leadership training materials for use by field commanders in developing, conducting, and evaluating their leadership programs. Some examples of classes contained in NAVMC 2767 include:
 - Prevention of sexual harassment.
 - Equal opportunity.
 - Foundations of leadership.

Sexual Harassment

Leadership: The Point of Departure

- The meaning of your commission/special trust and confidence
 - Fidelity.
 - Integrity.
 - Honor.
 - Respect.
- Moral high ground
 - America's expectation.
 - Moral compass.
- 200 years of tradition
 - Leadership from the front.
 - Challenges of the past (e.g., the race and drug issues of the 70's).
- Challenges of present
 - Societal problems
 - HIV.
 - Spouse and child abuse.
 - Drug problems.
 - Violence.
 - Current media coverage.

Leadership: The Point of Departure

- Another challenge which we continually face today is DISCRIMINATION. This is an assault on good order and discipline and the Commandant's policy is one of ZERO TOLERANCE.
- A form of discrimination, which is often not considered as such, is SEXUAL HARASSMENT.

Definition

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- Unwelcome sexual advances.
 - Requests for sexual favors.
 - Verbal/physical conduct of a sexual nature.
 - Complicity.

Who is involved?

This is not just a male to female oriented problem, it is also female to male, male to male, and female to female.

Classification of Behavior

Behavior can be classified through the use of a traffic light-- from green, to yellow, to red. Most sexual harassment complaints originate from yellow zone behavior.

- Green zone behavior includes: Performance counseling, correcting appearance, showing concern, a sincere compliment, non-intimate touching, social interaction, encouragement, and friendly conversation.
- Yellow zone behavior includes: Violating space, questions about a Marine's personal life, off color jokes, leering, unwanted requests for dates from peers or subordinates, wearing sexually suggestive clothing in the workplace or during work-related activities, whistling, lewd comments, suggestive posters or calendars, staring, foul language, unwanted letters or poems, sexual gestures.
- Red zone behavior includes: Sexual assault -- ranging from forcibly grabbing an arm to rape, sexually explicit pictures, sexist/racist remarks, obscene letters or comments, sexual favors in return for rewards, threats if sexual favors are not provided, using position to request dates.

Sexual Harassment (Continued)

Categories

- Touching (e.g., sexually suggestive touching, leaning over, cornering, pinching and brushing against).
- Language (e.g., sexually suggestive teasing, jokes, remarks, questions, whistles, calls or yells, and pressure for sexual favors or dates).
- Gestures (e.g., sexually suggestive looks, gestures, body language, letters, and telephone calls).
- Climate (e.g., materials, pictures, cartoons, or posters of a sexual nature in work spaces).

Solutions

- Leadership
 - Commanding Officer (CO)'s responsibility
 - Climate.
 - Role model.
 - Educate.
 - Protect victim/punish offender.
 - Understanding and support at all levels
- Education
 - Annual command responsibility.
 - Raise awareness.
 - Advertise.
 - Policies.
 - Complaint process.
 - Confront the offender.
 - Inform chain of command.
 - Request mast or pursue a complaint under Article 138 of Uniform Code of Military Justice (UCMJ).
 - See local base inspectorate if own chain of command is not responsive.
- Enforce standards of conduct
 - Page 11 counseling.
 - Nonjudicial Punishment (NJP).
 - Courts-Martial.
- Mandatory administrative requirements
 - Reflect behavior in fitness report.
 - Report all complaints of sexual harassment to Headquarters, US Marine Corps.
 - Publicize actions taken if incident is substantiated.
 - As of 1 March 1992, process any substantiated first offender for separation.

Sexual Harassment (Continued)

Solutions (Continued)

- Objective
 - ERADICATION OF BEHAVIOR.
 - To possess a higher level of thinking.
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Fraternization

Introduction

Fraternization is the term used to describe improper personal and business relationships among Marines of different ranks or positions. Fraternization was not mentioned in the UCMJ when it was first enacted; improper relationships between seniors and subordinates were prosecuted as conduct unbecoming an officer. In 1984, however, fraternization was explicitly recognized as an offense under military law.

Not all contact between superiors and subordinates is improper. The Marine Corps has always fostered the fraternal concept of the "Brotherhood of Marines."

- Teacher-Scholar.
- Comrades-in-Arms.
- Band of Brothers.

When contact and relationships exceed these standards and become those of "buddies" or peers, then fraternization exists. Look at the facts and circumstances of each case:

- Is there a compromise of the chain of command?
- Is there an appearance of partiality? (REMEMBER: when dealing with the subject of fraternization, perceptions are as deadly as reality.)
- Is there the potential for good order, discipline, morale, or authority to be undermined?

Fraternization (Continued)

Background

The Marine Corps policy regarding improper fraternization is the product of naval service customs. The Marine Corps specifically, and military society in general, has historically imposed social constraints on personal relationships between individuals of different rank, grade, or position. It is important to keep in mind that because customs vary between branches of the armed forces, the Marine Corps' view of fraternization can be expected to be different (stricter) than that of the Air Force or the Army.

Fraternization rules date back to the time of the Roman army. The purpose of such constraints is to

- Maintain good order and discipline.
- Promote relationships of mutual respect and confidence between juniors and their seniors.
- Prevent adverse impact upon a junior's response to orders, the senior's exercise of command, or the perception of others regarding the senior's impartiality.
- Preserve the integrity of the chain of command.

Definition

Fraternization is a social or business relationship between Marines of different grades in violation of a custom of the naval service which, in the eyes of one experienced in military leadership, impacts adversely on good order and discipline, or degrades or at least threatens to degrade the character or status of the position that a Marine holds.

"...a social or business relationship between Marines of different grades...."

Some examples of activities encompassed by the term "fraternization" are

- Drinking alcoholic beverages together.
- Playing cards or gambling together.
- Going to private homes or clubs together.
- Dating or engaging in sexual activities.
- Engaging in commercial transactions, except for onetime sales or leases.
- Showing favoritism or partiality.
- Using one's authority for personal gain.

Fraternization (Continued)

Definition (Continued)

Military court decisions and the Manual for Courts-Martial make clear that fraternization can occur between enlisted Marines, between officers, or between officers and enlisted Marines. The classic case involves an officer-enlisted relationship, but it is not the only case.

The key issue is whether a relationship has developed in which mutual respect of grade is ignored. The relationship need not be male-female.

Though not a rigid test, normal social or business relationships between Marines within the following six divisions do not constitute fraternization. (However, under some circumstances, i.e., same chain of command, or an instructor-student relationship, even relationships within a particular group would be considered fraternization.)

- General officers.
- Field grade officers.
- Company grade officers (to include warrant officers).
- Staff noncommissioned officers (SNCO).
- Noncommissioned officers.
- Junior enlisted Marines.

While improper relationships within the same chain of command are the most obvious, there is no blanket requirement under the UCMJ that the relationship be within the same chain of command to be improper.

"...in violation of a custom of the naval service...."

- "Custom" is a long-established practice which, by common consent, has attained the force of law within the military.
- The relevant custom within the Marine Corps is that "duty, social, and business contacts among Marines of different grades will be consistent with traditional standards of good order and discipline and the mutual respect that has always existed between Marines of senior grade and those of lesser grade."

Fraternization (Continued)

Definition (Continued)

"...which, in the eyes of one experienced in military leadership, impacts adversely on good order and discipline or degrades or at least threatens to degrade the character or status of the position a Marine holds."

- Improper personal relationships between Marines occupying different positions may influence the senior's judgment as to mission accomplishment.
- The threat to discipline and order need not be perceived by the parties involved in the fraternization. It is enough that the ill effects could be perceived by a reasonably prudent Marine experienced in military leadership. Thus, each case must be scrutinized by applying this "hypothetical leader" test.

This final section of the definition not only defines, but also explains, the policy behind the rules prohibiting fraternization. The policy is further described in the Court of Military Appeals case of *US v Free*:

- The military services demand a regard for authority by juniors towards their seniors which experience has shown is enhanced by the observance of decorum, tradition, custom, usage, and conventions which are peculiar to the services alone. The regard and respect for authority upon which rests the unquestioned obedience of the serviceman which is mandatory in time of battle or stress (emphasis added) is lessened by the failure to observe niceties of military courtesy and other traditions and customs.

Marriage: A Special Problem

The Marine Corps cannot legally act to prevent marriages between servicemembers. A marriage between Marines of differing grades will constitute fraternization when the impact of the marriage detracts or tends to detract from the respect due a senior, or is perceived by others to do so.

A marriage stemming from a previously existing improper relationship does not excuse those involved from responsibility for their activities prior to the marriage.

The Marine Corps accepts officer/enlisted marriages which occur before the officer receives a commission or before the officer reverts to an enlisted grade.

Fraternization (Continued)

Avenues for Prosecution

- Article 134, UCMJ
 - Fraternization has been a listed offense under the UCMJ since 1984.
 - Maximum punishment is dismissal, forfeiture of all pay and allowances, and confinement for two years.
- Article 133, UCMJ
 - Whenever a commissioned officer, cadet, or midshipman engages in behavior which dishonors or disgraces the officer, such as dishonesty, unfair dealing, indecency, lawlessness, injustice, or cruelty, that officer may be prosecuted under Article 133.
 - Maximum punishment is dismissal, forfeiture of all pay and allowances, and confinement for a period usually not longer than one year.
- Article 92, UCMJ
 - Whenever a local command has established regulations or orders as to the conduct of relationships or fraternization, a Marine may be subject to prosecution for fraternization as a violation of an order.
 - Published orders are often used by commands to define acceptable conduct in the context of officer-officer and enlisted-enlisted relationships.
 - If the order is a general order or regulation, actual knowledge is not required (knowledge of the order is implied).
 - If the order does not constitute a general order or regulation, specific knowledge must be shown for a violation to occur.
 - Maximum punishment is a dishonorable discharge, forfeiture of all pay and allowances, and confinement for two years.

Fraternization (Continued)

Remedies

- Nonpunitive administrative remedies
 - Formal or informal counseling.
 - Transfer of one or both parties.
 - Fitness report comments.
- Nonjudicial punishment (often followed, in the case of officers, by processing for administrative separation).
- Court-martial.

Solution

The responsibility for maintaining the customary and traditional standards of conduct lies with the senior. The line between acceptable conduct and fraternization will not be crossed unless the senior allows it to happen.

The leader must be careful to avoid even the perception of fraternization without destroying the traditional fraternal bond between Marines of all grades.

Educate your Marines about both the Marine Corps policy on fraternization and the reasons behind it. Talk examples.

Hazing

Background

The individual Marine is the Corps. How we recruit, train, and instill in Marines our core values and a sense of integrity and accountability, equip them to do their jobs, and treat them with dignity, care and concern must be our principal emphasis. This is a leadership issue. This is a warfighting issue. Marines do not go into harm's way, make the sacrifices they always have, or give up their precious lives because they have been hazed or initiated into some self-defined, "elite" sub-culture. They perform these heroic acts of selflessness because they are United States Marines and because they refuse to let their fellow Marines down.

Marines are also our most precious asset. We will protect them through fair, scrupulous, and unbiased treatment as individuals--caring for them, teaching them, leading them. It is the obligation of each member of the chain of command, from top to bottom, to ensure that this sense of fairness is constant and genuine. Every Marine will treat every other Marine with dignity and respect.

Hazing (Continued)

Definition

Hazing is defined as any conduct whereby one military member, regardless of Service or rank, causes another military member, regardless of Service or rank, to suffer or be exposed to an activity which is cruel, abusive, humiliating, or oppressive. Hazing includes, but is not limited to, any form of initiation or congratulatory act that involves physically striking another to inflict pain, piercing another's skin in any manner, verbally berating another, encouraging another to excessively consume alcohol, or encouraging another to engage in illegal, harmful, demeaning or dangerous acts. Soliciting or coercing another to participate in any such activity is also considered hazing. Hazing need not involve physical contact among or between military members; it can be verbal or psychological in nature.

Hazing does not include mission or operational activities; the requisite training to prepare for such missions or operations; administrative corrective measures; extra military instruction as defined in the reference; command authorized physical training; authorized incentive training permitted at the Marine Corps Recruit Depots; and other similar activities authorized by the chain of command.

Policy

Hazing is prohibited. No Marine, or service member attached to a Marine command, including Marine detachments, may engage in hazing or consent to acts of hazing being committed upon them. No one in a supervisory position may, by act, word, or omission, condone or ignore hazing if he or she knows or reasonably should have known that hazing may occur. Consent to hazing is not a defense to violating this Order. Any violation, attempted violation, or solicitation of another to violate this order, subjects involved members to disciplinary action under Article 92 of the Uniform Code of Military Justice (UCMJ). This Order does not prevent charging those who have engaged in acts of hazing under other applicable UCMJ articles to include, but not limited to Article 80 (attempts), Article 81 (conspiracy), Article 93 (cruelty and maltreatment), Article 124 (maiming), Article 128 (assault), Article 133 (conduct unbecoming an officer and gentleman) and Article 134 (indecent assault, drunk and disorderly conduct, and/or solicitation). This Order is a lawful general order and is effective immediately without further implementation.

Homosexual Conduct

Policy

General. It is the policy of the DoD to judge the suitability of persons to serve in the armed forces on the basis of their conduct and their ability to meet required standards of duty, performance and discipline. A person's sexual orientation is considered a personal and private matter and is not a bar to service entry or continued service.

Substance Abuse

"First to fight for right and freedom, And to keep our honor clean."

--THE MARINES HYMN

Since 1775, the United States Marine Corps has enjoyed the reputation of an elite, disciplined, well-trained fighting force. It is founded upon the unfailing trust of one Marine in another, unwavering confidence in teamwork, and the dogged determination of unit leaders to meet the challenges at hand. We are at war. The enemy is illegal drug use. It threatens both our Corps and our society and is more devastating than a holocaust, more debilitating than a disease. Marines must again rise to the challenge. They must be the driving force in the war to eliminate illegal drug use in our Corps. Marine leaders must "take the point" in this campaign. (NAVMC 2750)

Substance Abuse (Continued)

Drug Abuse

The previous statement was written in 1982, a time when the negative impact of illegal substances on the health and welfare of our Corps seemed insurmountable. A DoD worldwide drug and alcohol survey, published only two years before, indicated that the Marine Corps had the highest incidence of drug use amongst all other services; in some age categories even more than that of civilians.

Substance abuse has a decided impact on individual performance. Marines who are psychologically and physiologically drug dependent or under the influence of drugs are not reliable. Through scientific testing it has been proven that they have difficulty completing physical tasks requiring stamina and endurance, as well as those requiring precision and judgment. This creates a dangerous work environment for all Marines in both peace and war.

As future leaders of Marines, you are about to be faced with many unique and difficult leadership challenges. None can be more damaging as the real and present threat of illegal substances on your unit and personnel. The pervasive effects that these substances can have on units and individuals can be enormous -- and often deadly. Despite our best efforts to combat drug use in the Marine Corps, we must recognize that it still exists as a significant problem and do all things possible to eradicate its use from the environment in which we operate.

Policy

"The distribution, possession or use of illegal drugs is not tolerated in the United States Marine Corps."

-- General R. H. Barrow

The Marine Corps policy on the use of illegal substances is set forth in MCO P5300.17, "The Marine Corps Substance Abuse Program." This policy is crystal clear in its meaning and intent. Recent changes to the order have mandated harsher disciplinary measures on those who choose to violate the established policies. The enforcement of the Marine Corps standards, and the elimination of illegal drug use is a task which requires an intensive, dedicated, thoroughly knowledgeable and total leadership effort on the part of all Marine Corps leadership.

Substance Abuse (Continued)

Policy (Continued)

The Marine Corps recognizes the need to develop an illegal drug prevention program in order to curb illegal drug use. Although there is no standard or recognized model, any successful program must address four inherent elements: leadership, enforcement of standards, identification, and education. Experience over the last decade has indicated that a successful substance abuse program must consist of the following five components

- EDUCATION.
- PREVENTION.
- IDENTIFICATION.
- REHABILITATION.
- DISCIPLINE.

Education

Education must be continuous, comprehensive, and must actively involve all leaders within a unit. The information provided must be factual and informative; Marines have already received too much misinformation about drugs.

Education begins for all Marines at the Recruit Depots or at Officer Candidate School. Marine Corps orders require all commands to continue to incorporate illegal drug use prevention education for all Marines and civilians. Additionally, the leadership role played by all officers and SNCOs has great impact upon the success of any substance abuse program. Leadership by example is perhaps the first and most significant step. The most difficult task of Marine leaders is one of creating or fostering negative peer pressure toward the use of drugs or the tolerance of your unit towards policy violators. This one aspect of leadership can have the greatest impact upon the decision of individual Marines to use illegal substances. Recognize the fact that you cannot observe or control an individual Marine's actions at all times. Despite this limitation, what our Marines do off duty is our business. Marines are responsible for adhering to the set of values and rules we live by 24 hours a day.

Substance Abuse (Continued)

Education (Continued)

As leaders we must impress upon Marines the fact that any member of our unit who is involved with illegal drugs is endangering the lives of others. Drug use undermines organizational values and unit readiness. This requires a continuous effort not only on your part, but also on the part of all your subordinate leaders as well. We must also educate ourselves in order to better educate our Marines.

Only by being knowledgeable about the physical and disciplinary ramifications of drug use can we expect to convince Marines that drug use is fundamentally wrong as well as destructive to the individual and unit. Inform your Marines about the consequences, administrative and punitive, that they will face. We must attempt to change existing attitudes held by our Marines regarding drugs and the drug culture. Provide alternatives to these temptations and be concerned about the quality of life that your Marines lead both in CONUS and abroad.

Identification

Commanders must use every available and lawful means at their disposal to identify Marines involved with illegal drugs. Some available means are

- NCIS and law enforcement agencies.
- Urinalysis testing.
- Use of Military Working Dogs.
- Health and welfare inspections.
- Random vehicle searches.

All personnel upon accession into the Marine Corps will be advised of the Marine Corps policy of zero tolerance to drugs and then urinalysis tested for the presence of any illegal substances. Those who show the presence of an illegal drug will be processed for separation.

The Urinalysis Program was established to provide a systematic screening of all Marines for the presence of drugs as prescribed by the Department of Defense and SECNAVINST.

Substance Abuse (Continued)

Identification (Continued)

The Urinalysis Program uses biochemical testing of urine samples to provide

- Deterrence for Marines disposed to the use of illegal drugs.
- Early identification of Marines involved with the use of illegal drugs.
- Confirmation of drug presence necessary for administrative and/or disciplinary action.

Urinalysis is a means to identify the presence of drugs. A subsequent command evaluation is necessary to determine if a legal reason exists to seek prosecution under the UCMJ. Stringent collection requirements have been established to ensure a high level of program reliability and to ensure fairness to all personnel; observers during collection, stringent chain-of-custody requirements, and strict testing procedures at a DOD certified laboratory. Screening requirements include an aggressive periodic screening program including

- Command directed screening.
- Random screening.
- Special testing.

Results may be used as evidence in disciplinary proceedings under the UCMJ and/or administrative separations. Upon detection of an illegal substance, the following disciplinary measures may be enforced

- Officer
 - appropriate discipline.
 - processed for separation.
- NCO and above
 - appropriate discipline.
 - processed for separation.
- All other Marines
 - appropriate discipline.
 - processed for separation.

Note: No disciplinary or adverse administrative action may be taken until appropriate confirmation/verification of drug use is obtained.

Substance Abuse (Continued)

Identification (Continued)

There are additional administrative measures that a commander may enforce to further dissuade Marines from becoming involved with drug use. These measures include

- Ineligibility for reenlistment.
- Not eligible for promotion within six months of confirmation.
- Security clearances revoked.
- Service record book (SRB) documentation/ adverse Fitness Report (FITREP).

Commanders also have the ability to impose immediate disciplinary actions through

- Denial of on-base driving privileges for drug offenders when drug use is confirmed.
- Withdrawal of authorization to live off-base to unmarried Marines.
- Eviction from government quarters (if drugs were maintained, used, or sold there).
- Administrative reduction.

Treatment and Rehabilitation

Past policy ordered that drug dependent Marines attend Level III treatment at the Navy Drug Rehabilitation Center (NDRC), Miramar, California. Present policy pursues the separation of Marines under the provisions of paragraph 2204. Marines will be provided the opportunity to receive treatment at a Veterans Administration medical facility nearest their place of residence in conjunction with their separation. The Marine may refuse this treatment and merely be separated.

Alcohol Abuse

Alcohol abuse is contrary to the effective performance of Marines and the Marine Corps mission, and will not be tolerated in the US Marine Corps. The Marine Corps objective is to identify, treat, and return alcoholics to full duty and to eliminate alcohol abuse, wherever possible.

Substance Abuse (Continued)

Alcohol Abuse (Continued)

Alcohol abuse is any use of alcohol that adversely affects individual performance, debilitates physical and mental health, interferes with financial responsibility, personal relationships, leads to the violation of civilian or military laws, or contributes to disorderly conduct. Alcoholism is a medically-recognized disease manifested by the continued abusive use of alcohol and characterized by the development of psychological and/or physical dependency.

In accordance with Public Law 92-129, Title V, section 501(a), the Marine Corps is required to implement procedures "to identify, treat, and rehabilitate" members and to deny service entry to any alcohol dependent individuals. Our overall objective is to eliminate alcohol abuse throughout the Marine Corps. This requires total leadership from officers, SNCOs, and NCOs. All leaders must be alert to the characteristics of alcohol abuse and fully familiar with the associated symptoms. The end goal is to influence positive behavioral changes before disciplinary or adverse administrative action is necessary. This may be accomplished through changing attitudes of Marines toward alcohol use. All leaders should set the example by demonstrating responsible consumption or even abstinence.

Marine Corps Alcohol Abuse Program. The Marine Corps Alcohol Abuse program has essentially two phases: Proactive and Reactive.

- Proactive phase. This phase consists of various measures used to preclude the abuse of alcohol. This phase is preventative in nature and has both education and deterrent measures. It is obvious that the consumption of alcohol is not essential to unit deployment capabilities and the fostering of Marine Corps pride. Activities that encourage drinking should be avoided. Official functions and activities must offer nonalcoholic beverages when alcoholic beverages are served.

Substance Abuse (Continued)

Alcohol Abuse, Marine Corps Alcohol Abuse Program, Proactive Phase (Continued)

Commanders should begin to institute policies which support the responsible consumption of alcohol by following certain guidelines during functions such as:

- Offering nonalcoholic beverages.
- Ensuring that food is readily available.
- Discouraging drinking contests.
- Not offering alcohol as a prize.
- Not offering alcohol to those Marines underage unless authorized by SECNAV or CMC directives.

Unit commanders should also cooperate fully with civilian programs to enhance the educational aspect of prevention. Alcoholics Anonymous and other programs aimed at reducing alcohol related incidents can be very supportive and assist in developing individual awareness. Leaders should consider providing alternative leisure activities to promote an active life-style that will not revolve around bars and drinking. This is especially important during deployments overseas where Marines are limited in their ability to pursue normal off duty activities.

- Education. Units are directed to provide preventative education on a regular basis that informs Marines of the health risks as well as the disciplinary actions that can be enforced due to alcohol related incidents. The goal is to educate Marines so that they may make responsible decisions regarding their own personal use of alcohol. Officers, SNCOs, and NCOs will receive supervisor level training in alcohol abuse/alcoholism within 60 days of joining a unit. All Marines must receive a class on alcohol abuse/alcoholism within a similar time period.
- Deterrent measures. The most common deterrent measures that may be utilized in the fight against alcohol abuse are:
 - Health and Welfare inspections.
 - Random vehicle checkpoints for Driving while intoxicated (DWI)/Driving under the influence (DUI).
 - Breathalyzer

Substance Abuse (Continued)

Alcohol Abuse, Marine Corps Alcohol Abuse Program, Reactive Phase (Continued)

- **Reactive Phase Objectives.** The objectives of the reactive phase are to confirm that an alcohol related incident has occurred; take appropriate disciplinary, judicial, or administrative action; and evaluate the individual. Individuals are screened to determine the level of alcohol abuse involvement and, if necessary, the appropriate level of treatment. Once a Marine has been evaluated the following may occur
 - relevant treatment provided.
 - return the Marine to full duty.

Those who do not successfully complete treatment programs may be separated.

- **Identification.** The prompt and accurate identification of potential alcoholics allows for the single best method of preventing a potential problem. By diagnosing or recognizing alcohol abuse in its early stages, treatment often times can be conducted at the unit/local level allowing for minimal impact upon the individual and the unit.

Commanders must establish programs that allow for the early identification of alcohol abuse. Possible methods of building these programs include

- health and welfare inspections of billet and work areas.
- random vehicle checks.
- daily review of incident reporting systems.
- daily review of medical treatment facility records.

Disciplinary measures. Any alcohol related act of misconduct, incident or unsatisfactory performance will be the subject of prompt and appropriate disciplinary action. In any case, formal command counseling will be conducted as indicated below:

- Officer Qualification Record (OQR)/SRB entry after first incident

Substance Abuse (Continued)

Alcohol Abuse, Marine Corps Alcohol Abuse Program, Reactive Phase (Continued)

- DWI with .08% BAC or more
 - Base driving privileges suspended temporarily within 24 hours pending adjudication.
 - Suspended for one year upon conviction.
 - Additional two years for each subsequent DWI/DUI within five year period.
 - Commanders may make exceptions as appropriate.
- OQR/SRB mandatory entry following DWI conviction
 - Commandant of the Marine Corps (CMC) directed comment on normal FITREP if convicted of DWI.
 - CMC directed FITREP following second DWI conviction if SGT or above.

Administrative measures.

Retention and reenlistment. In most cases, a developing alcohol problem manifests itself in a series of acts of misconduct and/or steadily declining performance. Often, by the time a Marine has been identified as an alcohol abuser, administrative separation is likely to occur. Commands have the option and responsibility to fully consider all aspects regarding the needs of both the Marine and the Marine Corps. Consideration should be made as to whether a Marine is medically diagnosed as an alcoholic or simply an alcohol abuser. Abusers should be considered fully responsible for their actions and dealt with accordingly. Marines should be either processed for separation if deemed appropriate by the commanding officer or retained on active service. Those to be retained must undergo rehabilitation treatment for their abusive tendencies. This treatment requires completion and compliance with an aftercare program. If the Marine fails to successfully complete this rehabilitation they may be reevaluated for separation. In every case where a Marine is discharged as an alcohol abuse treatment failure or where alcohol abuse was a significant factor in separation, that Marine will be provided with the name, address, and telephone number of the Veterans Administration Medical Facility with alcohol treatment capabilities nearest the place of residence. Marines diagnosed as alcoholics must be afforded treatment. Decision whether to retain these Marines on active duty should be made only after such treatment has been completed.

Substance Abuse (continued)

Alcohol Abuse, Marine Corps Alcohol Abuse Program, Reactive Phase, Administrative Measures (Continued)

Promotion. Unless otherwise not qualified, a Marine diagnosed and successfully treated for alcohol abuse/alcoholism will be promoted. Following such treatment, Marines should be expected to perform at their present grade and handle responsibilities appropriate to that rank. Any acts of misconduct or substandard performance resulting from their alcohol abuse/alcoholism should be considered when evaluating the Marine for promotion.

Security clearances. Alcohol abuse/alcoholism alone is not cause for automatic revocation of a security clearance. Only when believed to be a security risk will the security clearance be revoked.

Treatment and rehabilitation. It is recognized that alcohol abuse and alcoholism are conditions which can be treated through counseling, treatment, and rehabilitation programs. These programs are required by public law and have also proven to be cost effective in retaining Marines who can continue to provide useful service.

Summary

A major function of a leader is to mold Marines into a team. In order to do this all members, regardless of race, gender, or background, must trust and believe in each other. They need to know their leaders are making an honest attempt to solve complaints of discrimination in a fair and reasonable manner. When they perceive that their leaders are fair and that the leaders' decisions are based on what is best for their unit and the Marine Corps, they will respond positively. Our equal opportunity, cultural diversity, and affirmative action programs can help achieve this end.

As you can readily see, the Marine Corps Substance Abuse Program is one that requires active participation and vigilant efforts on the part of leaders at all levels. As you assume responsibility for Marines in the fleet, you will be at the forefront of the Marine Corps fight against drug and alcohol abuse. Although we pride ourselves on being premier fighting forces, rest assured that these problems exist now and will continue to exist throughout your career. As long as society continues to promote and tolerate drug and alcohol abuse, the Marine Corps will experience some aspects of these negative influences. Our efforts must be directed at minimizing and ultimately stamping out the adverse effects that substance abuse has on our Marines, their lives, and ultimately the Corps itself.

References

| Reference Number or Author | Reference Title |
|----------------------------|--|
| Public Law 92-129 | Identification and Treatment of Drug and Alcohol Dependent Persons in the Armed Forces |
| SECNAVINST 5300.28 | Military Substance Abuse Prevention and Control |
| SECNAVINST 5370.2H | Standards of Conduct |
| NAVMC 2750 | Marines War on Drugs |
| NAVMC 2767 | User's Guide to Marine Corps Leadership Training |
| ALMAR 288/91 | Standards of Personal Conduct |
| MCO 1000.9A | Sexual Harassment |
| MCO P1020.34G | Marine Corps Uniform Regulations |
| MCO 1700.25 | Marine Corps Hazing Policy |
| MCO P5300.17 | The Marine Corps Substance Abuse Program |
| MCO P5354.1D | Marine Corps Equal Opportunity Manual |
| MCO 6100.12 | Marine Corps Physical Fitness Test and Body Composition Program Manual |
| UCMJ | Uniform Code of Military Justice |
| ALNAV | ALNAV 058/15 |

Glossary of Terms and Acronyms

| Term or Acronym | Definition or Identification |
|-----------------|----------------------------------|
| CMC | Commandant of the Marine Corps |
| CO | Commanding Officer |
| DoD | Department of Defense |
| DUI | Driving under the Influence |
| DWI | Driving while Intoxicated |
| FITREP | Fitness Report |
| NDRC | Navy Drug Rehabilitation Center |
| NJP | Non-Judicial Punishment |
| PCS | Permanent Change of Station |
| PFT | Physical Fitness Test |
| OQR | Officer Qualification Record |
| SNCO | Staff Noncommissioned Officers |
| SRB | Service Record Book |
| UCMJ | Uniform Code of Military Justice |
| US | United States |
